

REMARKS

Claims 1-35 were previously in the case. The Examiner has rejected these claims as being unpatentable under 35 USC 102(b) or 35 USC 102(e) as being anticipated by Vancura U.S. Patent No. 6,033,307. The Examiner has also rejected the claims under 35 USC 103(a) as being obvious over the combinations of Vancura and Huard et al. U.S. Patent No. 5,743,800, Vancura and Perrie U.S. Patent No. 6,173,955, and Vancura and Acres U.S. Patent No. 5,836,817.

Applicants have cancelled claims 1-35 thereby rendering moot any rejections directed to these claims.

Applicants affirm that originally filed claims 19 and 34-35 have been canceled and withdrawn from consideration.

Applicants have added new claims 36-45. The subject matter of claims 36-45 is based on originally filed claims 1-18 and 20-33. Further support for the claims is found in the instant specification: page 5, lines 18-21; page 6, lines 4-14, page 9, lines 10-12, page 9, lines 13-17 and page 32, lines 5-21 through page 33, lines 1-5.

Applicants submit that none of the patents cited by the Examiner in the last Office Action (the final rejection) anticipate or render obvious the present invention as claimed in new claims 36-45. Vancura discloses a primary slot machine that

issues a bonus qualifying signal to a secondary slot machine to start play of a bonus game. Vancura does not disclose the specific combination of a base gaming machine and a lottery gaming device wherein the lottery gaming device provides a lottery drawing in which the player may participate. Furthermore, applicants disagree with the Examiner's statement that Vancura discloses the claimed lottery game device and lottery drawing. Vancura merely states that the primary and secondary gaming machines can be configured a slot poker, keno, etc. Such primary and secondary gaming machines do not constitute the claimed combination of a base game device and a lottery game device as recited in new claims 36-45. Vancura does not disclose, teach or suggest a lottery game device that can provide a graphically generated, prerecorded or live lottery drawing as recited in new claims 36, 37, 38, 39 and 45. For these reasons, Applicants submit that Vancura does not anticipate or render obvious new claims 36-45. The Examiner has also cited the Perrie et al., Acres et al., and Huard et al. patents. These patents, either taken alone or in combination with each other or in combination with Vancura, do not disclose, teach or suggest the specific combination of a base gaming machine and a lottery gaming device wherein the lottery gaming device provides a lottery drawing in which the player may

participate as recited in new claims 36-45. None of these cited patents disclose, teach or suggest a lottery game device that can provide a graphically generated, prerecorded or live lottery drawing as recited in new claims 36, 37, 38, 39 and 45. For these reasons, Applicants submit that the combination of Vancura with each of the Perrie et al., Acres et al., and Huard et al. patents does not teach or suggest the claimed casino gaming machine as recited in new claims 36-45.

Obviousness cannot be established by locating references which describe various aspects of applicants' invention without also providing evidence of the motivating force which would impel one skilled in the art to do what the applicants have done (see Ex parte Levingood, 28 U.S.P.Q.2d 1300 (BPAI 1993)). Furthermore, "[i]t is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited references so that the claimed invention is rendered obvious". In re Fritch, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). Thus, for these reasons stated above, Applicants submit that the combinations of the cited references do not render obvious the present invention as recited in new claims 36-45.

It is submitted in view of these amendments and remarks that all grounds for rejection have been removed.

Reconsideration and allowance of this application are therefore earnestly solicited.

A Petition for Extension of Time for two months is being submitted herewith.

Respectfully submitted,

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By: Raymond A. Nuzzo
Raymond A. Nuzzo
Attorney of Record
Reg. No. 37,199

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